

	VULNERABLE ADULT INVESTIGATIONS	Operations Order 7.33.00
	PHOENIX POLICE DEPARTMENT	Rev. 10/15 PAGE 1

1. **INITIAL INVESTIGATION**

- A. In order to fall within the parameters of this order, the victim must demonstrate traits of vulnerability and/or incapacitation as outlined in [Arizona Revised Statute \(ARS\) 46-451](#) and [ARS 13-3623](#).
- B. Persons responsible for the care of an adult who is incapacitated and who believes abuse, neglect, or exploitation of an adult or the adult's property has occurred, have a duty to report the incident to a peace officer or a protective social worker under [ARS 46-454](#).
- C. Definitions

(1) Vulnerable Adult	An individual who is 18 years of age or older, who is unable to protect himself/herself from abuse, neglect, or exploitation by others due to a mental or physical impairment.
(2) Incapacity	Impairment to the extent that one lacks sufficient understanding or capacity to make or communicate informed decisions by reason of: • Mental illness • Mental deficiency • Mental disorder • Physical illness or disability • Advanced age • Drug use or intoxication • Other causes
(3) Abuse	Includes: • Intentional infliction of physical harm • Injury caused by criminal negligent acts or omissions • Unlawful imprisonment as described in ARS 13-1303 • Sexual abuse or sexual assault (see Operations Order 7.29.00, Sexual Assault, for investigative procedures)
(4) Emotional Abuse	A pattern must exist of ridiculing or demeaning the vulnerable adult; indicators of emotional abuse include: • Derogatory remarks • Verbal harassment • Threatening to inflict emotional or physical harm on the vulnerable adult The victim must be under the care and custody of the suspect, or must be a patient or resident of a facility in which health care services and activities for daily living are provided. NOTE: If the above listed circumstances are not present, an investigation should be conducted for the appropriate crime: for example, assault, aggravated assault, or theft.
(5) Neglect	A pattern of conduct by a person who is responsible for the care and custody of the vulnerable adult and permits the vulnerable adult to be injured or their health to be endangered.
(6) Exploitation	Illegal or improper use of an incapacitated or vulnerable adult's resources for another's profit or advantage.

D. Telephone Reference Numbers:

Adult Protective Services (APS)	1-877-767-2385
Senior Help Line	1-800-264-4357
Family Investigations Bureau (FIB)/Vulnerable Adult Crimes supervisor	602-534-2121
Violent Crimes Bureau (VCB) desk sergeant	602-262-6141

	VULNERABLE ADULT INVESTIGATIONS	Operations Order 7.33.00
	PHOENIX POLICE DEPARTMENT Rev. 10/15	PAGE 2

2. REPORTING PROCEDURES

A. Officers will establish the elements and jurisdiction of the crime; jurisdiction is usually determined by the location of the first act or incident.

- If not within the Department's jurisdiction, officers should document their actions and coordinate with the appropriate agency.

(1) Officers should interview the reporting person away from the victim, witness, or other reporting sources in order to determine:

- Circumstances of the crime
- If the victim is in any imminent danger
- If the victim requires medical attention
- Relationship between the victim and the suspect (if known)

(2) If there is any indication the relationship meets domestic violence criteria, then officers will also follow procedures as outlined in [Operations Order 7.21.00, Domestic Violence Investigations](#).

B. Victim Medical Treatment

(1) Officers will assess the need for medical intervention; if the victim is admitted to the hospital with injuries sustained from abuse or neglect, officers will notify the Vulnerable Adult Crimes supervisor during normal business hours or the VCB desk sergeant after hours.

(2) In instances where physical abuse has appeared to have occurred within the past 72 hours, officers will contact a detective who will assess the need for a forensic exam.

(3) Photographs will be taken of any physical injury to the victim in accordance with procedures outlined in [Operations Order 5.8.05, Photographs and Audio/Video Procedures](#).

(4) Any written documentation (medical records, powers of attorney, guardianship, etc.) must be scanned and attached to the Incident Report (IR) as a "Document".

- Original documents should be impounded as Evidence.

C. Victim Interviews

(1) Officers should interview the victim if the victim is verbally communicative.

(2) Officers will document the following:

- Nature and extent of the victim's injuries and/or physical neglect
- Victim's demeanor
- Spontaneous statements that may indicate the victim's competency

(3) When possible, officers should audio record victim statements.

D. Suspect Interviews

(1) If the suspect is present and aware of the investigation and the victim has not been taken to the hospital, officers may conduct an initial interview with the suspect.

(2) If the suspect is not aware of the investigation, he/she should not be interviewed without contacting FIB.

	VULNERABLE ADULT INVESTIGATIONS	Operations Order 7.33.00
	PHOENIX POLICE DEPARTMENT Rev. 03/20	PAGE 3

2. E. Adult Protective Services (APS)

- (1) In all cases, APS will be contacted to file a report regardless of whether or not the suspect is booked into jail.
 - Contact information will be documented in the IR to include the APS case number.
- (2) If the victim needs to be removed for their own protection, officers will contact APS and the Senior Help Line for assistance.
- (3) Officers will document where the victim was placed, including the address and telephone number to assist in the follow-up investigation.

3. **CALLOUT PROCEDURES**

- A. Patrol supervisors will contact the Vulnerable Adult Crimes supervisor during normal business hours or the VCB desk sergeant after hours, and request detectives assume the initial investigation when any of the following conditions exist:
 - Any incident involving immediate life-threatening injury
 - Any abuse or neglect involving immediate life-threatening injury or serious physical injury in which the suspect is known and is a flight risk
 - The suspect is in custody and the victim's treatment will require more than being treated and released from an emergency room (victim admitted to hospital as a result of trauma after emergency room treatment)
 - Any abuse or neglect involving multiple victims or suspects
 - Suspect/s is known and there is an immediate danger of the victim being re-victimized by the suspect
 - Any abuse, neglect, or exploitation involving a complex crime scene, or when a search warrant is necessary to conduct the investigation
 - Any high-profile incident
 - Best interest of the Department
- B. Patrol officers will normally conduct the initial investigation for abuse, emotional abuse, neglect, or exploitation when the crime scene is basic.

4. **FINANCIAL EXPLOITATION**

- A. Financial exploitation involves several factors:
 - Trust and dependence
 - Diversion of funds from the victim to the personal benefit of another
 - Misuse of power of attorney
- B. The victim must demonstrate the same traits of vulnerability or incapacitation; age alone is not the determining factor.
 - Theft, forgery, and other fraud schemes involving a vulnerable or incapacitated adult who does not show signs of abuse/neglect, will be investigated by the appropriate detail (Property Crimes, Financial Crimes, etc.).
- C. Determine Jurisdiction - The location where the suspect diverted funds or assets from the victim determines jurisdiction.
 - (1) This is typically the bank branch or location where the transaction is made.
 - (2) If the transaction is electronic or telephonic then the location of occurrence will be the residence or location of the computer or telephone.

	VULNERABLE ADULT INVESTIGATIONS	Operations Order 7.33.00
	PHOENIX POLICE DEPARTMENT Rev. 10/15	PAGE 4

4. C. (3) If there is doubt regarding jurisdiction and the victim resides in Phoenix, the officer will make a report and the assigned detective will determine jurisdiction.

D. Initial Investigation

- (1) Determine the relationship between the victim and the suspect.
 - Does the suspect live with the victim, and if so, is the victim in immediate danger of intimidation?
- (2) If the victim needs to be removed for their own protection, contact APS and the Senior Help Line for assistance.
- (3) Assess the financial environment of the victim, if possible, by including the following information in the initial IR, such as:
 - Names on bank accounts
 - Victim's income
 - How funds are received and dispersed
 - Name of person handling financial affairs
- (4) Attempt to determine what the suspect has done to obtain power or authority over the victim.
 - (a) Determine if there is a power of attorney signed by the victim.
 - (b) Obtain copies of all signed documents granting authority to act on behalf of the victim, scan and attach them to the IR as a "Document", and then impound as Evidence.
 - (c) Obtain the names of involved financial institutions and account numbers for accounts belonging to the victim and/or suspect and list them in the IR.

E. Enforcement

- (1) Due to the complexity of the investigation and the extensive amount of documentation necessary for financial exploitation cases, it is not advisable to make a probable cause arrest.
- (2) Investigating officers may consult with detectives of the Vulnerable Adult Crimes Unit.

F. Report Procedures

- (1) If the victim does not show signs of abuse/neglect, [ARS 13-1802B, Theft](#) (from vulnerable adult) will be selected as the "Primary Offense" in the IR.
 - If the victim does show signs of abuse/neglect, select the appropriate ARS code as the "Primary Offense" and ARS 13-1802B as an additional offense.
- (2) Officers **will** notify APS and make a financial exploitation of a vulnerable adult referral.
 - Officers will document the APS case number in the IR.

Last Organizational Review: